GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Home Dept. – Allegations of acquisition of assets disproportionate to the known sources of income against Sri Shaik Hussain, Inspector of Police, Coastal Security PS, Pudimadaka, Visakhapatnam District - Recommended for Prosecution – Examined – Proposal of sanction of Prosecution - Denied – Orders – Issued.

HOME (SC.A) DEPARTMENT

G.O.Ms.No.60.

Dated:16/03/2024
Read the following:-

1. From the Director General, ACB, A.P., Hyderabad, Preliminary report Lr.Rc.No.17/ RCA-WVP/2016-S.11, dt.06.04.2016.
2. From the Director General, ACB, A.P., Hyderabad, Lr.Rc.No.17/RCA-WVP/2016-S11, dt.06.04.2016.
3. G.O.Ms.No.84, Home(SC.A) Department, dt.08.07.2016.
4. From the Director General, ACB, AP, Vijayawada, Final report Lr.Rc.No.17/RCA-WVP/2016-S.11, dt.17.01.2020.
5. Representation of Sri Shaik Hussain, IoP, Coastal Security Police Station, Pudimadaka, dt.04.02.2020.
6. From the Director General, ACB, AP, Vijayawada, Revised Final report Lr.Rc.No.17/RCA-WVP/2016-S.11, dt.25.05.2022.
7. Representation of Sri Shaik Hussain, IoP, Coastal Security Police Station, Pudimadaka, dt.18.02.2024 received through O/o Chief Minister's Office, CMP No.7449/Secy.(DR)/2024, dt:24.02.2024.

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ORDER:-

In the reference 1st and 2nd read above, the Director General, Anti Corruption Bureau, Andhra Pradesh, Vijayawada has stated that on credible information, that Sri Shaik Hussain, Inspector of Police, Coastal Security Police Station, Pudimadaka, Visakhapatnam District has acquired assets disproportionate to the known sources of his income by indulging in corrupt practices, a case in Cr.No.03/RCA-ACB-WVP/2016 under section 13 (2) read with 13 (1) (e) of the Prevention of Corruption Act, 1988 was registered against him on 03-02-2016 and took up the investigation. The check period has been taken from 15-07-1992 to 17-02-2016. During the course of investigation, it was revealed that the Accused Officer has acquired disproportionate assets to the known sources of income in the name of his family members and benamies. The said properties were alleged to have been acquired by corrupt or illegal means during the check period by the Accused Officer. The Director General, ACB, AP has further stated that it is reliably learnt that the Accused Officer is contemplating or there is likelihood of disposing of or concealing the said property procured by him by committing the said offence. The Director General, ACB, has therefore requested the Government to authorize the Investigating Officer of ACB of this case to file an application in the Court of III Additional District and Sessions Judge-Cum-Special Judge for SPE & ACB Cases, Visakhapatnam under section 3 of Criminal Law Amendment Ordinance of 1944 for attachment of the said properties of the Accused Officer worth Rs.2,08,98,514/- described in the Annexures.

2. In the reference 3rd read above, Govt. have issued orders for attachment of properties of the AO Sri Shaik Hussain, Inspector of Police, Coastal Security PS, Pudimadaka, Visakhapatnam District worth Rs.2,08,98,514/- described in the Annexures.

3. In the reference 4th read above, the Director General, ACB, AP, Vijayawada has informed that the AO Sri Shaik Hussain, IoP, Coastal Security PS, Pudimadaka, Visakhapatnam District has acquired assets disproportionate to his known source of income to the tune of Rs.1,62,16,847/- (DA 249.06%), hence, it is recommended that he may be prosecuted in a court of law as required under section 19(1)(b) of the

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Prevention of Corruption Act, 1988 and also to take departmental action against AO for violation of Rules 9(1), 9(2) and 9(8) of APCS (Conduct) Rules, 1964.

4. Based on the contention raised by the Accused Officer in reference 5th read above, after reconsider the facts of the case, the Director General, ACB, AP in the reference 6th read above, has furnished revised final report and stated that the AO has acquired assets disproportionate to his known source of income to the tune of Rs.1,58,17,140/-(DA 235.27%), hence, it is recommended to issue speaking order for sanction of prosecution of AO as required under Section 19(1)(b) of the P.C. Act, 1988 and also to take departmental action against AO for violation of Rules 3(1), 3(2), 9(1), 9(2) and 9(8) of A.P.C.S.(Conduct) Rules, 1964.

5. In the reference 7th read above, the Accused Officer Sri Shaik Hussain, Inspector of Police, Coastal Security Police Station, Pudimadaka, Visakhapatnam District has stated that the ACB made out a fabricated DA case by not giving his legalized income Rs.44,66,001/- tagged the value of assets and expenditure of other than his family members Rs.1,12,07,204/-, further adding the value of assets of before check period Rs.42,01,729/- including their bloating values as against actual values. Therefore, it clearly reveals that a fabricated case of Disproportionate of Assets to his known sources was implicated against him and thereby he was subjected to harass due to unknown reason best known to ACB. He has therefore, requested that the alleged DA case may kindly be dropped.

6 Government after careful examination of the matter and after considering the representation of the Accused Officer Sri Shaik Hussain, Inspector of Police, (f) Coastal Security Police Station, Pudimadaka, Visakhapatnam District, presently working at Range VR, O/o DIG, Visakhapatnam, the request of Director General, ACB, A.P., Vijayawada for sanction of prosecution is denied. The further action in the matter against the above Accused Officer in ACB case in Cr.No.03/RCA-VSP/2016 under section 13 (2) read with 13 (1) (e) of the Prevention Corruption Act, 1988 regarding prosecution is hereby dropped.

7. The Director General, Anti-Corruption Bureau, Andhra Pradesh, Vijayawada shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

HARISH KUMAR GUPTA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General, Anti-Corruption Bureau, A.P., Vijayawada.
Copy to:
The A.P. Vigilance Commission, AP Secretariat, Velagapudi.

//FORWARDED::BY ORDER//

K. Padmavathi
SECTON OFFICER(SC)